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**BEFORE**

**THE PUBLIC SERVICE COMMISSION OF**

**SOUTH CAROLINA**

**DOCKET NO. 2011-336-C**

In the Matter of the Application of Common )  
 Point, LLC for a Certificate of Public )  
 Convenience and Necessity to Provide Local )  
 Exchange and Interexchange Services, for )  
 flexible regulation first established by Order )  
 No. 98-165 in Docket No. 97-467-C; and for )  
 alternative regulation first established by )  
 Order Nos. 95-1734 and 96-55 in Docket No. )  
 95-661-C. )

**DIRECT TESTIMONY OF**

**JOSEPH O'HARA**

1 **Q. Please state your name and business address for the record.**

2 A. My name is Joseph O'Hara. My business address is 3130 Pleasant Run, Springfield,  
 3 Illinois 62711.

4

5 **Q. By whom are you employed and in what capacity?**

6 A. I am the Chief Financial Officer of ANPI, LLC, the managing member of Common  
 7 Point, LLC ("Common Point" or "Applicant"). I am currently responsible for corporate  
 8 finance, treasury, accounting, financial reporting, taxation and regulatory compliance.

9

10 **Q. Please give a brief description of your background and experience.**

11 A. During my tenure with the company, I have held positions in operations, finance and  
 12 accounting. Additionally, I have led numerous discrete projects, including development  
 13 and evaluation of business models, capital budgeting and investment analysis, business

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1 formation and business/project valuation, and matters concerning legal affairs. I am a  
2 licensed Certified Public Accountant in Illinois, and hold a master's of business  
3 administration with a finance concentration from the University of Illinois at Urbana-  
4 Champaign.

5  
6 **Q. What is the purpose of your testimony?**

7 A. The purpose of my testimony is to demonstrate that Applicant is qualified technically,  
8 financially and managerially to provide resold and facilities-based competitive local  
9 exchange and interexchange communications services in South Carolina. This testimony  
10 will also describe the services proposed by the Applicant and the proposed tariff  
11 structure. Finally, the purpose of my testimony is to show that the public interest will be  
12 served by approval of the application of the Applicant for a certificate of public  
13 convenience and necessity.

14  
15 **Q. Are all of the statements in Common Point's Application true and correct to the best**  
16 **of your knowledge, information and belief?**

17 A. Yes. I have reviewed the application and exhibits and believe them to be true and  
18 correct.

19  
20 **Q. Is Applicant authorized to do business in South Carolina?**

21 A. Yes. The Certificate of Authority was attached to the Application as Exhibit 1.

22  
23 **Q. Does Applicant provide service in South Carolina now?**

1 A. No it does not.

2

3 **Q. What is the corporate structure of Applicant?**

4 A. Applicant is an Illinois Limited Liability Company.

5

6 **Q. What are the financial qualifications of Applicant?**

7 A. As stated in the application, Applicant possesses the financial qualifications required for  
8 issuance of the requested Certificate of Public Convenience and Necessity. Applicant has  
9 sufficient capital on hand to commence operations in the State of South Carolina.

10 Financial statements for Applicant were filed under seal with the Application as Exhibit  
11 3.

12

13 **Q. In what other states does Applicant currently have authority/authorization to  
14 provide local exchange and interexchange services?**

15 A. Applicant is authorized to provide local exchange and interexchange services in  
16 California, Illinois, Missouri, Washington, Wisconsin, Montana, North Dakota, New  
17 Mexico, and Texas.

18

19 **Q. Has any state ever denied or revoked the authority of Applicant to provide  
20 intrastate service?**

21 A. No it has not.

22

23 **Q. Where in South Carolina does Applicant propose to offer its services?**

1 A. Applicant intends to serve initially the AT&T South Carolina area, and not in the service  
2 areas of rural telephone companies.

3  
4 **Q. Please describe the services Applicant proposes to offer.**

5 Initially, Applicant will provide switched tandem access services to other carriers,  
6 delivering call traffic into and out of local exchanges through neutral, common or tandem  
7 switches. Applicant may offer other local exchange and interexchange services in the  
8 future.

9  
10 **Q. Is Applicant aware of the Commission's requirement that it file a \$5,000 bond or**  
11 **certificate of deposit in connection with the offer or sale of prepaid debit card**  
12 **services?**

13 A. Yes. Applicant does not intend to market or sell prepaid debit card services, but in the  
14 event Applicant intends to do so, it will comply with this requirement.

15  
16 **Q. Does Applicant have processes in place for handling customer complaints?**

17 A. Applicant understands the importance of effective customer service for its business  
18 customers. The Company's toll free telephone number, 877-366-2674, is available for  
19 customer inquiries, complaints and repair.

20  
21 **Q. Who is knowledgeable about Applicant's operations and will serve as the company's**  
22 **regulatory contact?**

23 A. I will serve as Applicant's Regulatory contact.

1 **Q. Does the Company have offices in South Carolina?**

2 A. No. The Applicant does not intend to have offices in South Carolina. Accordingly,  
3 Applicant requests, pursuant to Commission Rule 103-610, that the Commission  
4 authorize the Company to keep its books and records at its offices in Illinois. Applicant  
5 will have a registered agent in South Carolina and will bear any costs associated with  
6 inspection of its books and records by the Commission Staff or the South Carolina Office  
7 of Regulatory Staff (“ORS”).

8  
9 **Q. Does Applicant use the Uniform System of Accounts (“USOA”) to maintain its**  
10 **financial books and records?**

11 A. No. Accordingly, the Company requests a waiver of Commission Rule 103-611 to the  
12 extent that rule requires the use of the USOA, and requests permission to use Generally  
13 Accepted Accounting Principles (“GAAP”).

14  
15 **Q. Is the grant of Applicant’s Application in the public interest for consumers in South**  
16 **Carolina?**

17 A. Grant of Applicant’s Application to provide resold and facilities-based local exchange  
18 services is in the public interest and serves the public convenience and necessity. It is in  
19 the public interest to promote competition in the provision of telecommunications  
20 services, including local exchange services. Increased competition promotes increased  
21 services, lower prices, higher quality, and greater reliability. This is true not only with  
22 respect to the service offerings of the new entrants, but also as a result of the response of  
23 incumbent monopoly providers to the introduction of competition.

1           Applicant's proposed services will provide multiple public benefits by increasing  
2           the competitive choices available to users in South Carolina. Enhanced competition in  
3           telecommunications services likely will further stimulate economic development in South  
4           Carolina. In addition, increased competition will create incentives for all carriers to offer  
5           lower prices, more innovative services, and more responsive customer service.

6  
7   **Q.     Does this conclude your testimony at this time?**

8   **A.     Yes, it does.**

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**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day, one (1) copy of the **Direct Testimony of Joseph O'Hara** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

**VIA ELECTRONIC MAIL SERVICE**

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October 3, 2011  
Columbia, South Carolina